

**Federal Defenders  
OF NEW YORK, INC.**

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June 21, 2024

**BY ECF**

The Honorable Judge Alvin K. Hellerstein  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: United States v. Morrow-Wu et al  
23 Cr. 90 (AKH)**

Dear Judge Hellerstein:

I write to respectfully request two bail modifications on behalf of Mr. Morrow-Wu: First, that the Court permit Pretrial Services to temporarily remove Mr. Morrow-Wu's ankle monitor so that he can have a CT scan; and second, that the Court reduce the level of location monitoring from "home detention" to "curfew." Pretrial Services – per Intensive Supervision Specialist Ashley Cosme – consents to both requests. The Government – per Assistant U.S. Attorney Jerry Fang – consents to the first request but objects to the second.

*Removing the ankle monitor for the CT Scan:* We respectfully request that the Court permit Pretrial Services to remove Mr. Morrow-Wu's ankle monitor for a scheduled CT scan. Prior to the removal of the monitor, Mr. Morrow-Wu will submit written confirmation from the medical provider as to the date of the test and its necessity. As noted above, both the Government and Pretrial Services consent to this request.

*Reduction in the level of monitoring:* We respectfully request that the Court reduce the level of location monitoring from "home detention" to "curfew," with hours to be set by Pretrial Services.

Under the Bail Reform Act, a court must impose the "least restrictive" combination of conditions that will reasonably assure a person's appearance in court and the safety of the community. *See* 18 U.S.C. § 3142(c). The "least restrictive" combination of conditions often changes over time, and a court "may at any time amend the order to impose additional or different conditions of release." *See* 18 U.S.C. § 3142(c)(2).

Here, Mr. Wu was released from custody in June 2023, originally to the Eastern District of Tennessee and more recently to the District of New Jersey. Over the past 12 months, Mr. Wu has been wholly compliant with the conditions of release, has secured work, and is attending

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New York University. Mr. Wu has demonstrated by his conduct over the past year that “home detention” is now more restrictive than necessary, and that a reduction to a “curfew” is warranted, with hours to be set by Pretrial Services. As noted above, Pretrial Services consents to the request, while the Government objects.

Thank you for your consideration of these request.

Respectfully submitted,

/s/ \_\_\_\_\_  
Martin Cohen  
Assistant Federal Defender  
646-588-8317

cc: AUSA Jerry Fang  
USPSO Andrew Dziopa (DNJ)  
USPO Ashley Cosme

**SO ORDERED:**

/s/ Alvin K. Hellerstein

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**HONORABLE ALVIN K. HELLERSTEIN**  
**United States District Judge**

Dated: 6/24/24

The request for the removal of Mr. Wu's ankle monitor to facilitate a CT scan is granted. The conditions which necessitated Mr. Wu to receive home detention location monitoring have not changed, and so his request to have his status switched to curfew is denied.